

# **The Constituent Assembly**

## **The New Constitution of the Arab Republic of Egypt**

**Approved on 30 November 2012**

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## Preamble

### The New Constitution of the Arab Republic of Egypt

**We, the people of Egypt,**

**In the name and with the assistance of God, the most merciful and gracious,**

**This is our Constitution..** The document of the January 25 Revolution, the Revolution which was initiated by our youth, which our people rallied around, and which the Armed Forces sided with.

**After we rejected,** in Tahrir Square and across the country, all forms of injustice, oppression, tyranny, despotism, exclusion, plunder, corruption and monopoly.

**We publicly demanded** our full rights to “**a decent life, freedom, social justice and human dignity**”, with the blood of our martyrs, the pain of our injured, the dreams of our children and the struggle of our men and women.

We **reclaimed** the place of our great civilization and of our thriving history; we established the oldest state on the banks of the immortal Nile, which witnessed the meaning of citizenship, equality and nondiscrimination. It presented to the world the first written alphabets, launched the belief in monotheism and cognizance of the Creator, embraced the God’s prophets and His divine Messages, and decorated the pages of human history with creativity.

**In continuation of our immaculate revolution** which united the Egyptian people over one demand, to build a modern democratic state, we announce our determination towards the following principles:

**One: The people are the source of all authorities;** they establish them, they derive their legitimacy from them and are subject to their will.. The responsibilities and competencies of the authorities are endowed to them in trusteeship, and are not privileges that serve to immunize authorities.

**Two: A democratic system of government** which entrenches the peaceful transfer of power, deepens political and partisan pluralism, and guarantees fair elections and the people’s contribution to the decision-making process.

**Three: The dignity of the individual is part and parcel of the dignity of the homeland..** And a country in which women are not respected has no dignity; for women are the sisters of men and partners in national gains and responsibilities.

**Four: Freedom is a right,** in thought, creativity, opinion, housing, ownership, residence and travel, the origins of which the Creator designed in the universe’s motion and human nature.

**Five: Equality and equal opportunities are for all: male and female citizens; for there is no discrimination, nepotism, or favoritism in rights and duties.**

**Six: The rule of law is the basis of the individual's freedom,** the legitimacy of the authorities, and the State's compliance with the law; for no voice tops that of the force of justice; and the judiciary is independent and proud and holds the supreme mission of protecting the Constitution, establishing the balance of justice, and preserving rights and freedoms.

**Seven: National unity is an obligation, and the cornerstone for building the Egyptian modern State** and its soaring progress and development. It is entrenched in the values of tolerance, moderation and centrism, and the guarantee of rights and freedoms to all citizens without discrimination between the people.

**Eight: Defending the homeland is a duty and an honor;** and our armed forces are a patriotic, professional and neutral institution that do not interfere in political affairs and is the protective shield of the country.

**Nine: Security is a great blessing** watched over by the police that work to serve and protect the people and enforce justice; for there can be no justice without protection, and no protection without security institutions which respect human dignity and the rule of law.

**Ten: Unity is the hope of the Arab nation,** a call from history, an invitation to the future, and a necessity for destiny. It is reinforced by complementarity and brotherhood with the countries of the Nile Basin and of the Muslim world, a natural extension to the genius of Egypt's position and place on the universe's map.

**Eleven: Egypt's pioneering intellectual and cultural role** is an embodiment of its soft power and an example of the freedom of its innovators, intellectuals, universities, scholarly and linguistic academies, research centers, press, art, literature, media, its patriotic Church and its honorable Al-Azhar, which throughout its history has been the backbone of the homeland's identity, a guardian of the immortal Arabic language and the revered Islamic Sharia, and a beacon for moderate enlightened thought.

**We, the masses of the people of Egypt,  
out of faith in God and His heavenly messages,  
in recognition of the rights of the country and the nation due upon us,  
in awareness of our national and human responsibilities,  
pledge to commit to the principles laid out in this Constitution, which we accept and grant to  
ourselves, affirming our determination to uphold and defend it, protect and respect it by all  
state authorities.**

## **Part I: State and Society**

### **Chapter 1: Political principles**

#### **Article 1 - Nature of the Republic, and of the Egyptian people<sup>1</sup>**

The Arab Republic of Egypt is an independent sovereign state, united and indivisible, and its system is democratic. The Egyptian people are part of the Arab and Islamic nations, are proud of belonging to the Nile Valley, to the African continent and to Asia. The Egyptian people contribute to human civilization.

#### **Article 2 - Religion, language and source of legislation**

Islam is the religion of the state and Arabic is its official language. The principles of Islamic Sharia are the principal source of legislation.

#### **Article 3 - Christian and Jewish religious affairs**

The principles of Christian and Jewish laws are the main source of legislation for followers of Christianity and Judaism in matters pertaining to personal status, religious affairs and nomination of spiritual leaders.

#### **Article 4 - Al-Azhar**

Al-Azhar is an encompassing independent Islamic institution, with exclusive competence over its own affairs. It is responsible for preaching Islam, theology and the Arabic language in Egypt and throughout the world. Al-Azhar's Council of Senior Scholars is to be consulted in matters relating to Islamic Sharia.

The state ensures sufficient funds for Al-Azhar to achieve its objectives.

Al-Azhar's Grand Sheikh is independent and cannot be dismissed. The method of appointing the Grand Sheikh from among members of the Council of Senior Scholars is to be determined by law.

The foregoing is regulated by law.

#### **Article 5 - Sovereignty**

Sovereignty belongs to the people. The people exercise and protect sovereignty, and safeguard their national unity. The people are the source of power. This is as provided in this Constitution.

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<sup>1</sup> Titles for each article have been included by International IDEA along with this translation solely for ease of reference. The article titles are not to be attributed to the Constituent Assembly or used to inform interpretation. Chapter and section titles were translated from the original text.

## **Article 6 - Democratic principles**

The political system is based on the principles of democracy and consultation, citizenship (under which all citizens are equal in rights and public duties), political and multi-party pluralism, the peaceful transfer of power, the separation and balance of powers, the rule of law, and respect for human rights and freedoms. All of the foregoing is as provided in the Constitution.

It is prohibited to form a political party that discriminates between citizens, whether on the basis of gender, origin or religion.

## **Article 7 - The duty to safeguard national security and conscription**

Safeguarding national security, defending the motherland and protecting its soil is an honour and a sacred duty. Conscription is obligatory and is organized by law.

## **Chapter 2: Social and ethical principles**

### **Article 8 - Social justice, equality and freedom**

The state guarantees the means to achieve justice, equality and freedom, and is committed to facilitating the channels of charity, social support and solidarity between members of society. The state ensures the protection of persons, dignity and property, and works toward achieving sufficiency for all citizens. The foregoing is within the limits of the law.

### **Article 9 - Safety, security and equal opportunity for all**

The state commits to ensuring safety, security and equal opportunity for all citizens without discrimination.

### **Article 10 - Family as a basis of society**

The family is the basis of society and is based on religion, morality and patriotism.

The state and society oversee the commitment to the genuine character of the Egyptian family, its cohesion and stability, and the consolidation and protection of its moral values. The foregoing is as organised by law.

The state guarantees maternal and child services free of charge, and guarantees the reconciliation between the duties of a woman toward her family and her work.

The state provides special care and protection to breadwinning and divorced women as well as widows.

#### **Article 11 - Ethics, public morality and public order**

The state safeguards ethics, public morality and public order, a high level of education and of religious and patriotic values, scientific knowledge, Arab culture, and the historical and cultural heritage of the people. The foregoing is in accordance with the law.

#### **Article 12 - Cultural and linguistic characteristics of society**

The state protects the cultural and linguistic characteristics of society, and works towards the Arabization of education, science and knowledge.

#### **Article 13 - Institution of civil titles**

The institution of civil titles is prohibited.

### **Chapter 3: Economic Principles**

#### **Article 14 - The National economy**

The national economy aims to achieve a comprehensive, sustainable development plan, improve living standards, achieve prosperity, eliminate poverty and unemployment, increase work opportunities, production and gross national product.

The development plan works to establish social justice and cooperation, to ensure equitable distribution, to protect consumer rights, and to safeguard the rights of workers. The development plan works towards ensuring that capital and labor share the burden of development costs, and the equitable distribution of revenue.

Wages are linked to production, the income gap shall be bridged, a minimum wage that guarantees a decent standard of living for all citizens shall be established, and a maximum wage in civil service positions is established with exceptions regulated by law.

#### **Article 15 - Agriculture**

Agriculture is an essential asset of the national economy. The state commits to protecting and increasing farmland, and works to develop crop and plant varieties, to develop and protect animal breeds and fisheries, to achieve food security, to provide the requirements of agricultural production, its good management and marketing, and support agricultural industries.

The law organizes the use of state land, in such a way as to achieve social justice, and protect farmers and agricultural labour from exploitation.

#### **Article 16 - Development of the countryside and of the desert**

The state is committed to the development of the countryside and the desert, and works to raise the standard of living of farmers and inhabitants of the desert.

#### **Article 17 - Industry**

Industry is an essential component of the national economy. The state protects strategic industries, support industrial development, and ensures the national adoption of new technologies and their implementation.

The state fosters small and handicraft industries.

#### **Article 18 - Natural resources and the disposition of state property**

The state's natural resources belong to the people, who have a right to their revenues. The state commits to preserving such resources, to their sound exploitation, and to take into consideration the rights of future generations.

It is prohibited to dispose of state property, or to grant the right to privilege to exploit such property, or to grant a concession to a public utility, except as permitted by law.

All capital that does not have an owner belongs to the state.

#### **Article 19 - The Nile River and water resources**

The Nile River and water resources are a national wealth. The state is committed to conserving and developing them, and preventing abuse. The use of such resources is organized by law.

#### **Article 20 - The protection of coasts, seas and waterways**

The state commits to protecting its coasts, seas, waterways and lakes, to maintaining monuments and nature reserves, and to removing any encroachments.

#### **Article 21 - The ownership of property**

The state guarantees and protects the legitimate ownership of all kinds of public, cooperative and private property and endowments, in accordance with what the law organises.

## **Article 22 - The inviolability of public funds**

Public funds are inviolable and the state and society have a national duty to safeguard them.

## **Article 23 - Cooperatives**

The state sponsors and supports cooperatives in all forms and guarantees their independence.

## **Article 24 - Private property**

Private property is protected and has a function in the service of the national economy without deviation or monopoly. The right to inherit property is guaranteed. Private property may not be sequestered except in cases specified by law, and with a court order. Ownership of property may not be confiscated except for the public good and with just compensation paid in advance.

The foregoing is organized by law.

## **Article 25 - Charitable endowments**

The state is committed to reviving and encouraging the system of charitable endowments.

The law organizes endowments, the manner in which they are established, the management of its finances, their investments and the distribution of proceeds to the beneficiaries, according to the terms of the trustee.

## **Article 26 - Taxation**

Social justice is the foundation of taxation and other public finance duties.

Public taxes cannot be established, modified or cancelled except by law. There can be no exemptions except in cases prescribed by law. It is prohibited to require anyone to pay additional taxes or fees except within the limits of the law.

## **Article 27 - Workers' share in management**

Workers will share in the management and profits of enterprises. They are committed to the development of production, to protecting its means and to the implementation of its strategy in their production units, in accordance with the law.

Workers' representatives may constitute up to 50 percent of the members of the boards of directors of public sector units. The law guarantees that small farmers and small craftsmen's representatives should constitute no less than 80 percent of the boards of directors of agricultural and industrial cooperatives.

### **Article 28 - Savings**

Saving is encouraged by the state. The state safeguards savings, as well as insurance and pension funds. This is organized by law.

### **Article 29 - Nationalisation**

Nationalization is allowed except for the public interest, based on a law and against fair compensation.

### **Article 30 - Confiscation of property**

Public confiscation of property is prohibited.

Private confiscation is prohibited except based on a court judgment.

## **Part II: Rights and Freedoms**

### **Chapter 1: Personal rights**

#### **Article 31 - Dignity and the prohibition against insults**

Dignity is the right of every human being. The state and society guarantee respect for dignity and its protection.

Insulting or showing contempt toward any human being is prohibited.

#### **Article 32 - Nationality**

Egyptian nationality is a right. It is organized by law.

#### **Article 33 - Equality in public rights and duties**

All citizens are equal before the law. They have equal public rights and duties. There can be no discrimination between them in that regard.

#### **Article 34 - Personal freedom**

Personal freedom is a natural right. It is safeguarded and inviolable.



### **Article 35 - Due process**

Except in cases of flagrante delicto, no person may be arrested, searched, detained, prevented from free movement or prevented from exercising his freedoms except under a justified court order that will require an investigation.

Any person whose freedom has been restricted for these reasons must be informed of the reasons in writing within 12 hours, and be presented to the investigating authority within 24 hours from the time in which his freedom was restricted. He can only be interrogated in the presence of his lawyer. He will be provided with a lawyer when needed.

All persons whose freedoms have been restricted, and others, have the right of appeal to the courts against the measure of arrest. The matter must be decided within a week. If the matter is not decided within a week, release becomes imperative.

The law organizes the rules for temporary detention, its duration and its causes, and the cases in which an individual is entitled to compensation, whether for temporary detention or for a sentence carried out that a court final ruling has revoked.

### **Article 36 - Treatment during arrest or detention**

Any person arrested, detained or whose freedom is restricted in any way, is treated in a manner preserving his dignity. He may not be tortured, nor may he be compelled, nor may he be physically or morally harmed.

Individuals can only be detained or arrested in places that are humanely and hygienically suitable, and subject to judicial supervision.

The violation of any of the foregoing is an offense punishable by law.

Any statement proved to have been made by a person under any of the aforementioned forms of duress, or pursuant to a threat, is considered invalid and cannot be relied upon.

### **Article 37 - Prison**

Prison is a place of discipline, correction and reform. It is subject to judicial supervision. Anything that violates human dignity or a person's health is prohibited.

The state is responsible for the rehabilitation of convicts and facilitating for them a dignified life after their release.

### **Article 38 - Sanctity of correspondence**

The private life of citizens is inviolable. Its secrecy is guaranteed. Postal correspondence, wires, electronic correspondence, telephone calls and other means of communication may not be confiscated.

They cannot be monitored except for a limited period of time and in situations that are set out by law, and based on a justified judicial warrant.

#### **Article 39 - The inviolability of homes**

Homes are inviolable. With the exception of cases of immediate danger and distress, they may not be entered, searched or monitored, except in cases defined by law, and by a justified judicial warrant which specifies the place, timing and purpose. Those in a home are alerted before the home is entered or searched.

#### **Article 40 - Right to safety**

All residents have a right to a safe life which is guaranteed by the state. The law protects the individual against criminal phenomena.

#### **Article 41 - Inviolability of the human body**

The human body is inviolable, and the trafficking of human organs prohibited. No person may be subjected to any medical or scientific experiment without free, documented consent, and in accordance with the established foundations of medical science, and in the manner organized by law.

#### **Article 42 - Freedom of movement**

Freedom of movement, residence and immigration is guaranteed.

No citizen may be deported from or prevented from returning to the country.

No citizen may be prevented from leaving the country, nor placed under house arrest, except by virtue of a justified judicial warrant, and for a limited period of time.

### **Chapter 2: Civil and political rights**

#### **Article 43 - Freedom of belief**

The freedom of belief is inviolable.

The state guarantees the freedom to practice religious rites and to establish places of worship for the divine religions. This is as organized by law.

#### **Article 44 - Blasphemy**

Defaming all religious messengers and prophets is prohibited.

#### **Article 45 - Freedom of thought and opinion**

The freedom of thought and opinion is guaranteed.

Every individual has the right to express an opinion and to disseminate it verbally, in writing or illustration, or by any other means of publication and expression.

#### **Article 46 - Freedom of creativity**

Freedom of creativity in its various forms is the right of every citizen.

The state advances science, the arts and literature. The state sponsors creators and inventors, protects their creations and innovations, and works to apply them for the benefit of society.

The state takes the necessary measures to preserve the nation's cultural heritage. The state works to promote cultural services.

#### **Article 47 - Access to information**

Access to information, data, statistics and documents, its disclosure and circulation, is a right guaranteed by the state to all citizens, on the condition that this does not violate the sanctity of private life or the rights of others, and that it does not conflict with national security.

The law organizes the rules for filing and archiving public documents, the means to access information, appeals against a refusal to disclose information, and the consequent accountability for refusing to disclose information.

#### **Article 48 - Freedom of the press**

The freedom of the press, printing, publication and mass media is guaranteed. The media is free and independent to serve society and to express various trends in public opinion, and contribute to shaping and directing public opinion in the context of the state and society's main components, and in the context of the preservation of rights, freedoms and public duties, of the respect for the sanctity of the private lives of citizens and the requirements of national security. The closure, prohibition or confiscation of media outlets is prohibited except with a court order.

It is prohibited to monitor whatever media outlets publish. An exception is permitted in the case of limited censorship that may be imposed in times of war or public mobilization.

#### **Article 49 - Freedom to own and establish newspapers**

Freedom to publish and own newspapers of all kinds is guaranteed subject to notification for every natural or moral Egyptian person.

The law organizes the establishment of radio stations, television broadcasting and digital media.

#### **Article 50 - Freedom of assembly**

Citizens have the right to organize public meetings, processions and peaceful demonstrations. They must be unarmed and must provide notification as regulated by law.

The right to private assembly is guaranteed without the need to provide notification. Security personnel may not attend or intercept such private meetings.

#### **Article 51 - Right to establish associations**

Citizens have the right to establish associations and civil institutions, subject to notification. Such institutions operate freely, and have legal personality.

The authorities may not disband them or their administrative bodies without a court order, in the manner prescribed by law.

#### **Article 52 - Right to form syndicates**

The right to form syndicates, unions and cooperatives is guaranteed. They have legal personality, be formed on a democratic basis, operate freely, participate in the service of the community, and in raising the standard of efficiency among their members, and defending their rights.

Authorities may not disband them or their boards other than based on a court order.

#### **Article 53 - Trade unions**

The law organizes professional trade unions, their management on a democratic basis, determines its assets, and the manner in which its members are to be held accountable for their conduct, which should be in accordance with professional codes of ethics. One trade union is allowed per profession.

Authorities may not disband the boards of trade unions except with a court order, and may not place them under sequestration.

#### **Article 54 - Right to address public authorities**

Every individual has the right to address public authorities in writing and under his own signature. Addressing public authorities should not be in the name of groups, with the exception of legal persons.

#### **Article 55 - Citizen participation in public life**

Citizen participation in public life is a national duty. Every citizen has the right to vote, run for elections, and express opinions in referendums. The law organizes the direct application of these rights.

The state is responsible for the inclusion of the name of every citizen who satisfies the conditions to vote in a voters' registry and must do so automatically.

The state ensures the validity, impartiality and integrity of referendums and elections. Interference in any of the foregoing is a crime punishable by law.

#### **Article 56 - Egyptians living abroad**

The state safeguards the interests of Egyptians living abroad, protects them and protects their rights and freedoms, assists them perform their public duties toward the Egyptian state and society, and encourages their contribution to the development of the nation.

Their participation in elections and referendums is organized by law.

#### **Article 57 - Asylum**

The state grants asylum to foreigners who are deprived in their country of the public rights and freedoms that are guaranteed by this Constitution.

Extradition of political refugees is prohibited.

All of the foregoing is in accordance with what the law organizes.

### **Chapter 3: Economic and social rights**

#### **Article 58 - Right to Education**

Every citizen has the right to high quality education. It is free throughout its stages in all government institutions and is obligatory in the primary stage. The state works to extend that obligation to other stages.

The state supports and encourages technical education, and oversees education in all its forms. The state allocates sufficient percentage from the national revenue to technical education.

All educational institutions, public and private, local and otherwise abide by the state's educational plans and objectives, with a view to creating a link between education and the needs of society and production.

#### **Article 59 - Freedom of scientific research**

Freedom of scientific research is guaranteed. Universities, scientific and linguistic academies, and research centers are independent. The state provides them with a sufficient percentage of the national revenue.

#### **Article 60 - The Arabic language and religious education**

The Arabic language is a primary subject in all stages of education in all educational institutions.

Religious education and national history are core subjects of pre-university education in all its forms.

Universities are committed to the teaching of morals and ethics relating to various disciplines.

#### **Article 61 - Eradication of illiteracy**

The state develops a comprehensive plan to eradicate illiteracy in all age groups, for males and females. The state will implement this plan with society's participation within 10 years from the date of the Constitution.

#### **Article 62 - Healthcare**

Healthcare is a right of every citizen. The state allocates a sufficient percentage of the national revenue to healthcare.

The state provides healthcare services and health insurance in accordance with just and high standards, to be free of charge for indigents.

All health facilities provide various forms of medical treatment to every citizen in cases of emergency or danger to the life of a person.

The state supervises all health facilities, inspect them for quality of services, and monitor all materials, products and means of health-related publicity. Legislation will be issued and measures will be passed to put such supervision into effect.

### **Article 63 - Environment**

Each individual is entitled to live in a healthy and sound environment. The state commits to maintaining and protecting the environment from pollution, to make use of natural resources in way that does not damage the environment and safeguard the rights of future generations.

### **Article 64 - Right to work**

Work is a right, duty and honor for every citizen, guaranteed by the state on the basis of the principles of equality, justice and equal opportunities.

There can be no forced labor except in accordance with law.

Public sector employees work in the service of the people. The state employs citizens on the basis of merit, without nepotism or mediation. Any violation of the foregoing is a crime punishable by law.

The state guarantees for every worker the right to fair pay, vacation, retirement and social security, healthcare, protection against occupational hazards, and the application of occupational safety conditions in the workplace, in accordance with the law.

Workers may not be dismissed except in those situations that are set out by law.

Striking peacefully is a right which is organized by law.

### **Article 65 - Martyrs**

The state honors the martyrs of the 25 January Revolution as well as martyrs of war and of national duty, as well as the wounded. The state supports their families, as well as the injured and war veterans, the families of those disappeared during war, and similar cases. They, their children and their wives are prioritised in employment opportunities.

The foregoing is organized by law.

### **Article 66 - Social security**

The state provides social security services.

All citizens have the right to social security if they are unable to support themselves and their families in case of incapacity, unemployment or old age, such that they are guaranteed a minimum standard of living.

#### **Article 67 - Pensions for farmers and others**

The state works to provide an adequate pension for small-scale farmers, agricultural workers, casual workers, and all who do not have access to the social insurance system.

This is organized by law.

#### **Article 68 - Adequate housing, clean water and healthy food**

Adequate housing, clean water and healthy food are guaranteed rights.

The state adopts a national housing plan, which is based on social justice, the promotion of independent initiatives and housing cooperatives, and the regulation of the use of national territory for the purposes of construction, in accordance with the public interest and with the rights of future generations.

#### **Article 69 - Right to play sports**

The right to play sports is a right that belongs to everyone.

The state and society strive to discover talented athletes and support them, and take the necessary measures to encourage exercise.

#### **Article 70 - Rights of the child**

Every child, from the moment of birth, has the right to a proper name, family care, basic nutrition, shelter, health services, and religious, emotional and cognitive development.

The state commits to caring and protecting the child in case he loses his family. The state also guarantees the rights of disabled children, and their rehabilitation and integration into society.

Child labor is prohibited before passing the age of compulsory education, in jobs that are not fit for a child's age, or that prevent the child from continuing education.

A child may only be detained for a limited period, and he must be provided with legal assistance, and be detained in an appropriate location, in which children must be separated according to gender, age and type of crime, and be held away from places of adult detention.

#### **Article 71 - Care for children and youth**

The state guarantees care for children and youth; supports their spiritual, moral, cultural, educational, physical, psychological, social and economic development. The state enables them to engage in active political participation.



#### **Article 72 - People with disabilities**

The state commits to providing people with disabilities with health, educational, economic and social care, and provides to them with employment opportunities, raise social awareness on their situation, and adapt public facilities to suit their needs.

#### **Article 73 - Oppression, exploitation and sex trafficking**

All forms of oppression, exploitation and sex trafficking are prohibited and criminalized by law.

### **Chapter 4: Guarantees for the protection of rights and freedoms**

#### **Article 74 - The rule of law**

The rule of law is the basis for governance in the state.

The independence of the judiciary and the immunity of judges are two basic guarantees to safeguard rights and freedoms.

#### **Article 75 - Right to litigate**

The right to litigation is inalienable and guaranteed for all.

The state commits to making judicial institutions accessible and to encouraging a rapid decision making process.

It is prohibited to isolate any act or administrative decision from judicial oversight.

No person can be tried except before his natural judge. Exceptional courts are prohibited.

#### **Article 76 - Punishment**

Penalty is personalized. There can be no crime or penalty except by virtue of the Constitution or the law. No penalty can be inflicted except by virtue of a court decision. Penalties are inflicted only for acts committed after the promulgation of the relevant law.

#### **Article 77 - Due process**

Except for situations set out by law, criminal prosecutions must be based on an order from the relevant judicial body.

A defendant is innocent until proven guilty in a legal and fair trial, and in which he is granted the right of defense. Every person accused of a felony must have a lawyer to defend him. The law determines the minor offenses for which a defense lawyer is also required.

The law organizes the process of appealing decisions relating to felonies and offenses.

The state provides protection for victims of crime, witnesses, defendants and informants where necessary.

#### **Article 78 - Right to defense**

The right of defense in person or by proxy is guaranteed.

The law guarantees for indigents the means to resort to the courts and to defend their rights before the courts.

#### **Article 79 - Preventing or delaying the implementation of court decisions**

Court decisions are issued and enforced in the name of the people. It is a crime punishable by law for the relevant civil servant to prevent or delay the implementation of a court decision. In such a situation, a person who has a sentence issued in his favor has the right to lodge a direct criminal action before the relevant court.

#### **Article 80 - The absence of state of limitations**

Any violation of any of the rights and freedoms guaranteed by the Constitution is a crime for which there is no statute of limitation. The state guarantees fair compensation to the victim of such encroachment.

The injured party has the right to lodge a direct criminal action.

The National Council for Human Rights informs the Public Prosecution of any violation of these rights, may join the injured party in a civil action, and may appeal on his behalf.

#### **Article 81 - Limitations clause**

The rights and freedoms inherent in the citizen's person cannot be suspended or detracted from.

No law may regulate the exercise of these rights or freedoms in a way that constrains their origin and essence.

Rights and freedoms are to be exercised in a way that is consistent with the components that are set out in the Chapter on the state and Society in this Constitution.

## **Part III: Public Authorities**

### **Chapter 1: Legislative authority**

#### **Section 1: Common provisions**

#### **Article 82 - Legislative power**

Legislative power belongs to the Council of Representatives and to the Shura Council.

Each exercises its respective authorities as set out in the Constitution.

#### **Article 83 - Prohibition on double membership**

It is prohibited to be a member of both the Council of Representatives and the Shura Council. The law specifies other cases of incompatibility.

#### **Article 84 - Incompatibility with other work**

Save in exceptional situation set out by law, members of either the Council of Representatives or the Shura Council are to be fully devoted to their offices. A member's position or work will be kept open until his return, in accordance with the provisions of the law.

#### **Article 85 - Representative of the entire population**

A member is the representative of the population as a whole, without restriction or limitation.

#### **Article 86 - Oath**

Prior to the start of his tenure, a member takes the following oath before the chamber to which he belongs: "I swear by Almighty God to loyally uphold the republican system, to respect the Constitution and the law, to fully look after the interests of the people, and to safeguard the independence and territorial integrity of the motherland."

#### **Article 87 - Challenges to the validity of membership**

The Court of Cassation has final jurisdiction over the validity of membership in both chambers. Challenges are submitted to the Court within a period not exceeding 30 days from date on which the final election results are announced. A verdict must be passed within 60 days from the date on which the challenge is filed.

Where a membership is deemed invalid, it becomes void from the date on which the verdict is reported to the chamber.

#### **Article 88 - Property and financial regulation**

It is prohibited for any member of either chamber, throughout his tenure, whether in person or through an intermediary, to purchase or rent any piece of state property. It is also prohibited to lease or sell or barter with the state any part of their own property, or conclude a contract with the state as vendor, supplier or contractor.

Members provide financial disclosures and present them to their chamber at the start and at the end of their tenure as well as at the end of each year.

If a member receives cash or in-kind gifts by virtue of his membership in a chamber, ownership of such gifts is transferred to the Public Treasury.

All the foregoing is organized by law.

#### **Article 89 - Member opinions**

A member cannot be held accountable for any opinions relating to his work in the chamber of which he is a member.

#### **Article 90 - Member immunity**

It is prohibited, except in cases of flagrante delicto, to take criminal action against a member without prior permission from their chamber. If not in session, permission must be granted by the chamber's secretariat, and the chamber must be notified of the decision as soon as the chamber is in session.

In all cases, if a request for permission to take legal action against a member does not receive a response within 30 days, the permission is to be considered granted.

#### **Article 91 - Remuneration**

Members are remunerated in accordance with the law.

#### **Article 92 - Seat of parliament**

The seats of both the Council of Representatives and the Shura Council are in Cairo.

However, in exceptional circumstances, any of the two chambers may hold meetings elsewhere, at the request of the President of the Republic or one-third of the chamber's members.

Any meetings of the chamber that do not conform with the foregoing are invalid, including any decisions that may have been passed.

#### **Article 93 - Public and in camera sessions**

The sessions of the Council of Representatives and the Shura Council are held in public.

Either chamber may hold a closed session based on a request by the President of the Republic, the Prime Minister, or at least 20 of its members. The chamber will decide whether the debate on the question takes place in a public or closed session.

#### **Article 94 - Inauguration and adjournment of sessions**

The President of the Republic convokes the Council of Representatives and the Shura Council for their ordinary annual sessions before the first Thursday of October. If such convocation is not made, the chambers are required by the Constitution to meet on said day.

The ordinary session continues for at least eight months. The President of the Republic brings each session to a close with each chamber's approval, and in the case of the Council of Representatives, only after the state's general budget has been adopted.

#### **Article 95 - Extraordinary sessions**

It is possible for either chamber to be called to an extraordinary meeting based on a request by the President of the Republic, the Prime Minister, or upon a request signed by at least 10 members from the relevant chamber.

#### **Article 96 - Quorum and required majority**

The meetings of the Council of Representatives or Shura Council, and the resolutions they pass, are not considered valid unless attended by the majority of their members.

In cases other than those requiring a special majority, resolutions are adopted based on an absolute majority of the members present. In case of a tie vote, the matter in deliberation is considered rejected.

#### **Article 97 - Selection of speakers and deputy speakers**

Each chamber elects, in the first meeting of its regular annual session, a speaker and two deputy speakers for the full legislative term in the case of the Council of Representatives, and for half of the legislative term in the case of the Shura Council. If either seat becomes vacant, the Shura Council or Council of Representatives elects a replacement, whose term will last until the end of his predecessor's.

In all cases, one-third of the members of either chamber can request a new election of the Speaker or Deputy Speakers in the first meeting of the regular annual session.

#### **Article 98 - Replacement for the speaker**

Where the speaker of the Council of Representatives or the speaker of the Shura Council temporarily occupy the position of president of the republic, the relevant chamber will be chaired by the older of the two deputy speakers.

#### **Article 99 - Rules of Procedure**

Each chamber establishes its own rules of procedure regulating its work and the manner of practicing its functions. The rules of procedure are to be published in the Official Gazette.

#### **Article 100 - Internal order**

Each chamber maintains its internal order, a responsibility assumed by each chamber's speaker.

No armed forces may be present within or in vicinity of either chamber except at the request of the chamber's speaker.

#### **Article 101 - Legislative initiative**

The President of the Republic, the government, and every member of the Council of Representatives has the right to propose laws.

Every bill is referred to a specialized committee of the Council of Representatives, which studies it and submits a report to the Council.

Bills presented by members of the Council of Representatives cannot be referred to that committee before being first endorsed by the Proposals Committee and approved for consideration by the Council of Representatives. The reasons for which the bill is rejected must be presented if the Proposals Committee does not endorse a proposal for consideration.

A draft law proposed by a member but rejected by the Council of Representatives may not be presented again during the same legislative term.

#### **Article 102 - Consideration of draft laws**

Neither chamber may pass a bill without seeking consultation in relation to the bill.

Each chamber has the right to amend and break down existing clauses or suggest amendments.

Each bill passed by either of the chambers will be studied by the other, which in turn cannot delay it for more than 60 days, excluding the legislative recess. It cannot be considered a law unless passed by both chambers.

#### **Article 103 - Legislative dispute between two chambers**

In case of a legislative dispute between the two chambers, a joint committee of 20 members is formed, 10 selected by each chamber from among its members and based on the nominations of its General Committee. The joint committee then proposes the wording of the disputed clauses.

The proposals are then presented to each chamber; if an agreement is not reached, the case is taken to the Council of Representatives to reach a decision based on a two-thirds majority vote.

#### **Article 104 - Approval of legislation**

The Council of Representatives notifies the President of the Republic of any law passed for the President to issue the new law within 15 days from the date of receiving it. In case the President objects to the draft law, it must be referred back to the Council of Representatives within 30 days.

If the draft law is not referred back within this period, or if it is approved again by a majority of two-thirds of the members, it is considered a law and is issued.

If it is not approved by the Council of Representatives, it may not be presented in the same session before four months have passed from the date of the decision.

#### **Article 105 - Discussion of a public issue**

Any member of either chamber may propose to the Prime Minister, one of his deputies or a minister the discussion of a public issue.

#### **Article 106 - Clarification of the government's policy**

Any 20 members of the Council of Representatives, or 10 of the Shura Council, at least, may request the discussion of a public issue to obtain clarification on the government's policy in its regard.

#### **Article 107 - Right to obtain data or information**

Any member of the Council of Representatives or the Shura Council has the right to obtain data or information pertaining to their own performance at the relevant chamber, taking into account the provisions of Article 47 of the Constitution.

**Article 108 - Submission of written proposals and complaints by citizens**

Citizens may submit written proposals to either chamber regarding public issues.

Citizens may also submit complaints to either chamber to be referred to the relevant ministers. Based on the chamber's request, the minister may provide a clarification, and the citizen who issued the complaint is kept informed.

**Article 109 - Government attendance of sessions**

The Prime Minister, his deputies, ministers and their deputies may attend the sessions of either chamber or of any of their committees. Their attendance is obligatory if requested by either chamber. They may be assisted by high-ranking officials of their choice.

They are to be heard whenever they request to speak. They answer questions pertaining to issues that are in discussion, but cannot vote when votes are taken.

**Article 110 - Resignation of members**

Each chamber accepts the resignation of its members, which must be submitted in writing, and to be accepted must not be submitted after a chamber has started measure of revoking membership against the resigning member.

**Article 111 - Revocation of membership**

Membership of either chamber may only be revoked if a member has lost trust, status or any of the conditions for membership on the basis of which he was elected, or if the duties of membership have been violated.

Decision on revoking membership is issued by a majority of two-thirds of the chamber in question.

**Article 112 - Vacancy**

If a member's seat becomes vacant at least six months before the end of his term, the vacant position must be filled in accordance with the law within 60 days from the date on which the vacancy is first reported.

The new member's term is complementary to that of his predecessor.



## **Section 2: Council of Representatives**

### **Article 113 - Composition**

The Council of Representatives has at least 350 members, elected by direct, secret public balloting.

A candidate for parliamentary elections must be an Egyptian citizen, enjoying civil and political rights, holder of a certificate of basic education, and 25 years old or older at the time of candidacy.

Other requirements of candidacy, the provisions for election, the fairly representative division of constituencies, are defined by law.

### **Article 114 - Term**

The term of membership is five calendar years, commencing from the date of its first session.

Elections for a new Council of Representatives are held during the 60 days preceding the end of term for the previous Council of Representatives.

### **Article 115 - Mandate**

The Council of Representatives holds legislative power, and is responsible for approving the state's general policy, the public plan for economic and social development and the annual state budget law. It exercises control over the executive branch's work, in the manner prescribed by the Constitution.

The procedures for drafting the public plan for economic and social development, and presenting it to the Council of Representatives, are determined by law.

### **Article 116 - Annual state budget law**

The annual state budget includes all revenue and expenditure without exception. The draft annual state is submitted to the Council of Representatives at least 90 days before the beginning of the fiscal year. It is not considered in effect unless approved thereby, and it is put to vote on a chapter-by-chapter basis.

The Council of Representatives may modify the expenditures in the draft budget law, except those proposed to honor a specific liability. Should the modification result in an increase in total expenditure, the Council of Representatives agrees with the government on means to secure revenue resources to achieve a balance between revenues and expenditures. The budget is issued in a law, which may include modification in any existing law to the extent necessary to realize such balance.

If the new budget is not approved before the beginning of the new fiscal year, the earlier budget remains in effect until the new budget is approved.

The specifics of the fiscal year, the method of budget preparation, the provisions of the budgets of institutions, public bodies, and their accounts, are defined by law.

**Article 117 - Transfer of funds in the budget law**

The Council of Representatives' approval is necessary for the transfer of any funds from one chapter of the budget to another, as well as for any expenditure not included therein or in excess of its estimates. The approval is issued in a law.

**Article 118 - Collection and disbursement of public funds**

The basic rules for collection of public funds and the procedure for their disbursement is regulated by law.

**Article 119 - Salaries, pensions, indemnities, subsidies and bonuses**

The rules governing salaries, pensions, indemnities, subsidies and bonuses taken from the state treasury are regulated by law; so are the cases for exception from such rules, and the authorities in charge of their application.

**Article 120 - Council of Representatives' approval for contracting loans**

The executive branch of government cannot contract a loan, obtain a fund, or commit itself to a project entailing expenditure from the state treasury for a subsequent period, except with the Council of Representatives' approval.

**Article 121 - Final account**

The final account of the annual state budget is submitted to the Council of Representatives within a period not exceeding 6 months from the end of the fiscal year. The annual report of the Central Auditing Organization and the latter's observations on the final account must be attached.

The final account of the annual state budget is put to vote on a chapter-by-chapter basis and is issued by law.

The Council of Representatives has the right to request from the Central Auditing Organization any additional data or pertinent reports.

**Article 122 - Special investigative committees**

The Council of Representatives may form a special committee or entrust one of its existing committees to examine the activities of any administrative department or institution or public enterprise, for the purpose of fact-finding regarding a specific issue and informing the Council of Representatives of the

actual financial, administrative or economic status, or for conducting investigations into a past activity; the Council of Representatives decides on the appropriate course of action.

In order to carry out its mission, such a committee would be entitled to collect the evidence it deems necessary and to summon individuals for interviews. All executive and administrative bodies respond to demands by the committee and put under its disposal all the documents and evidence required.

#### **Article 123 - Request for information**

Every member of the Council of Representatives may submit questions to the Prime Minister, to one of his deputies, or to a minister in relation to any matter that falls under their mandate. It is obligatory to respond.

The member may withdraw his question at any time. A question cannot become an interrogation in the same session.

#### **Article 124 - Briefings and statements**

Every member of the Council of Representatives may request an urgent briefing or a statement from the Prime Minister, the Prime Minister's deputies, or to ministers in relation to urgent matters of public importance.

The government is obliged to respond.

#### **Article 125 - Interrogation**

Every member of the Council of Representatives may address interrogations to the Prime Minister, to the Prime Minister's deputies, or to ministers in relation to urgent matters of public importance.

Debate on an interrogation takes place at least seven days after its submission, except in cases of urgency as decided by the Council of Representatives and with the government's consent.

#### **Article 126 - Withdrawal of confidence**

The Council of Representatives may decide to withdraw its confidence from the Prime Minister, a deputy of the Prime Minister, or any one of the ministers.

A motion of no confidence may be submitted only after an interrogation, upon proposal by one-tenth of the Council of Representatives' members. The Council of Representatives should reach a decision within seven days from the date of debating the motion. A withdrawal of confidence requires a majority of the Council of Representatives' members to be successful.

In all case, a no confidence motion may not be passed in connection with an issue that had already been decided upon in the same juridical term.

If the Council of Representatives decides to withdraw confidence from the Prime Minister or a minister, and the government announced its solidarity with him before the vote, then that government is obliged to offer its resignation. If the no confidence resolution concerns a certain member of the government, that member is obliged to resign their office.

#### **Article 127 - Dissolution of the Council of Representatives**

The President of the Republic may not dissolve the Council of Representatives except by a causative decision and following a public referendum.

A Council of Representatives may not be dissolved during its first annual session, nor for the same cause for which the immediately previous Council of Representatives was dissolved.

To dissolve the Council of Representatives, the President must issue a decision to suspend parliamentary sessions and hold a referendum within 20 days. If voters agree by a valid majority on the dissolution, it is to be carried out. The President calls for early parliamentary elections to take place within 30 days from the date of the dissolution. The new Council of Representatives convenes within the 10 days following the completion of elections.

If no such majority agrees to the dissolution, the President of the Republic resigns.

If, however, the referendum or elections do not take place within the specified time limit, the existing Parliament reconvenes of its own accord on the day following the expiry of the time limit.

### **Section 3: Shura Council**

#### **Article 128 - Composition**

The Shura Council has at least 150 members, elected by direct secret ballot. The President of the Republic may appoint a number of members not exceeding one-tenth of the number of elected members.

#### **Article 129 - Conditions for candidacy**

A candidate for the Shura Council must be an Egyptian citizen enjoying civil and political rights, a holder of a certificate of higher education, and, at the time of candidacy, at least 35 years old.

Other requirements of candidacy, the provisions for election, the division of constituencies, are defined by law.

#### **Article 130 - Term**

The term of membership of the Shura Council is six years, whereas renewed election and appointment of 50 percent of the total number of members, whether elected or appointed, is every three years, as defined by law.

#### **Article 131 - Effect of dissolution of Council of Representatives**

In the case of the dissolution of Council of Representatives, the Shura Council carries out its joint legislative responsibilities. Any bills passed by the Shura Council during the period of Council of Representatives' dissolution are presented to the new Council of Representatives for consideration as soon as it is convened.

In the absence of both chambers, and where there is a requirement for urgent measures that cannot be delayed, the President of the Republic may issue decrees that have the force of law, which are then presented to the Council of Representatives and the Shura Council, as the case may be, within 15 days from the start of their sessions.

If such decrees are not presented to the chambers, or if they are presented but not approved, their legality is revoked retroactively, unless the Council affirms their validity for the previous period, or chooses to settle the consequent effects in some other manner.

### **Chapter Two: Executive Authority**

#### **Section 1: The President**

#### **Article 132 - Mandate**

The President is the head of state and chief of the executive branch of government. He defends the interests of the people, safeguards the independence and territorial integrity of the motherland, and protects the separation of powers.

He carries out his responsibilities in the manner prescribed in the Constitution.

#### **Article 133 - Term**

The President of the Republic is elected for a period of four calendar years, commencing on the day the term of his predecessor ends. The President may only be reelected once.

The process of the presidential election begins at least 90 days before the end of the presidential term. The result is to be announced at least 10 days before the end of term.

The President of the Republic may not hold any partisan position for the duration of the presidency.

#### **Article 134 - Eligibility**

A presidential candidate must be Egyptian born to Egyptian parents, must have carried no other citizenship, must have civil and political rights, cannot be married to a non-Egyptian, and at the time of nomination cannot be younger than 40 Gregorian years.

#### **Article 135 - Conditions for nomination**

A prerequisite for nomination to the presidency is a recommendation by at least 20 elected members of the Council of Representatives and of the Shura Council, or endorsements from at least 20,000 citizens who have the right to vote, in at least 10 governorates, with a minimum of 1,000 endorsements from each governorate.

No one can endorse more than one candidate. This is organised by law.

#### **Article 136 - Method of election**

The President of the Republic is elected by direct secret ballot, with an absolute majority of valid votes. The procedures for electing the President of the Republic are regulated by law.

#### **Article 137 - Oath**

Before assuming the presidential position, the President of the Republic takes the following oath before the Council of Representatives and the Shura Council: "I swear by Almighty God to loyally uphold the republican system, to respect the Constitution and the law, to fully look after the interests of the people and to safeguard the independence and territorial integrity of the motherland."

In case the Council of Representatives is dissolved, the oath is to be taken before the Shura Council.

#### **Article 138 - Finances**

The finances of the President of the Republic are stipulated by law. The President cannot receive any other salary or remuneration, nor engage throughout the presidential term, whether in person or through an intermediary, in an independent profession or business, nor is the President allowed to buy or rent state property, nor lease or sell to or barter with the state any part of their own property, nor conclude a contract with the state as vendor, supplier or contractor.

The President must submit to the Council of Representatives a financial disclosure upon taking office, upon leaving it, and at the end of each year.

If, in relation to the presidential post, the President receives, in person or through an intermediary, cash or in-kind gifts, such gifts are transferred to the state treasury.

The foregoing is organised by law.

**Article 139 - Government formation**

The President of the Republic nominates the Prime Minister, who is assigned by the President the task of forming a government and presenting its programme to the Council of Representatives within 30 days. If the government is not granted confidence, the President appoints another prime minister from the party that holds a plurality seats in the Council of Representatives. If the second nominee does not obtain confidence within a similar period, the Council of Representatives appoints a Prime Minister who is assigned by the President the task of forming a government, provided said government obtains parliamentary confidence within a similar period. Otherwise, the President of the Republic dissolves the Council of Representatives and call the elections of a new Council of Representatives within 60 days from the date the dissolution is announced.

In all cases, the sum of the periods set forth in this Article should not exceed 90 days.

In the case the Council of Representatives is dissolved, the Prime Minister presents the government and its programme to the new Council of Representatives at its first session.

**Article 140 - Establishing the state's public policy**

The President of the Republic, in cooperation with the government, lays out the state's public policy and oversees its implementation, in the manner prescribed in the Constitution.

**Article 141 - Agency through the government**

The President of the Republic exercises presidential authority via the Prime Minister, his deputies and ministers, except those authorities related to defense, national security and foreign policy, and the authorities set out in Articles 139, 145, 146, 147, 148 and 149 of the Constitution.

**Article 142 - Delegation of authority**

The President of the Republic may delegate part of his mandate to the Prime Minister, to his deputies, to ministers or governors. This will be organised by law.

**Article 143 - Power to call government meetings**

The President of the Republic may call for government meetings to discuss important matters, presides over such meetings, and requests reports about public affairs from the Prime Minister.

#### **Article 144 - Statement on the state's general policy**

The President of the Republic delivers a statement on the state's general policy in a joint session of the Council of Representatives and the Shura Council at the opening of their regular annual sessions.

The President may, when appropriate, make other statements or convey specific messages to either Council.

#### **Article 145 - Foreign relations**

The President of the Republic represents the state in foreign relations and concludes treaties and ratifies them after the approval of the Council of Representatives and the Shura Council. Such treaties have the force of law after ratification and publication, according to established procedures.

Approval must be acquired from both chambers with a two-thirds majority of their members for any treaty of peace, alliance, trade and navigation, and all treaties related to the rights of sovereignty or that make the state treasury liable for any expenditures not included in its annual state budget.

No treaty contrary to the provisions of the Constitution can be approved.

#### **Article 146 - Supreme Commander of the Armed Forces**

The President of the Republic is the Supreme Commander of the Armed Forces. The President cannot declare war, or send the armed forces outside state territory, except after consultation with the National Defense Council and the approval of the Council of Representatives with a majority of its members.

#### **Article 147 - Appointment of civil and military personnel**

The President of the Republic appoints civil and military personnel and dismisses them, appoints diplomatic representatives and removes them, and confirms political representatives of foreign countries and organizations. This is organised by law.

#### **Article 148 - State of emergency**

The President of the Republic declares, after consultation with the government, a state of emergency in the manner regulated by law. Such proclamation must be submitted to Council of Representatives within the following seven days.

If the declaration takes place when the Council of Representatives is not in session, a session is called immediately in order to consider the declaration. In case the Council of Representatives is dissolved, the matter is submitted to the Shura Council, all within the period specified in the preceding paragraph. The declaration of a state of emergency must be approved by a majority of members of each chamber. The



declaration is for a specified period not exceeding six months, which can only be extended by another similar period upon the people's approval in a public referendum.

The Council of Representatives cannot be dissolved while a state of emergency is in place.

#### **Article 149 - Pardon and amnesty**

The President of the Republic may issue a pardon or mitigate a sentence.

General amnesty may only be granted in a law.

#### **Article 150 - Referenda**

The President of the Republic may call for a referendum on important issues relating to the supreme interests of the state.

If the call for a referendum relates to more than one issue, the people must vote on each individual issue.

The results of a referendum are binding to all state authorities and the general public in all cases.

#### **Article 151 - Resignation**

For the President of the Republic to resign, a letter of resignation must be presented to the Council of Representatives.

#### **Article 152 - Treason**

A charge of felony or treason against the President of the Republic is to be based on a motion signed by at least one-third of the members of the Council of Representatives. An impeachment is to be issued only by a two-thirds majority of the members of the Council of Representatives.

As soon as an impeachment decision has been issued, the President of the Republic ceases all work; this is treated as a temporary obstacle preventing the President from carrying out presidential duties until a verdict is reached.

The President of the Republic is tried before a special court headed by the president of the Supreme Judicial Council, the longest-serving deputies of the president of the Supreme Constitutional Court and of the State Council, and the two longest-serving presidents of the Court of Appeals; the prosecution to be carried out before such court by the Prosecutor General. If any of the foregoing individuals are prevented from leaving their positions, they are replaced by order of seniority.

The law organizes the investigation and the trial procedures. In the case of conviction, the President of the Republic is relieved of his post, without prejudice to other penalties.

#### **Article 153 - Incapacity**

If on account of a temporary obstacle, the President of the Republic is rendered unable to carry out the presidential functions, the Prime Minister acts in his place.

If the Presidential office becomes vacant, due to resignation, death, permanent inability to work or any other reason, the Council of Representatives announces the vacancy and notifies the Presidential Elections Commission. The Speaker of the Council of Representatives temporarily assumes the presidential authorities.

In the event the foregoing takes place, the Shura Council and its Speaker replaces the Council of Representatives and its Speaker in cases the Council of Representatives is dissolved.

In all cases, a new president must be elected during a period not exceeding 90 days from the date the office became vacant.

The person acting in place of the President is not allowed to run for office, request any amendment to the Constitution, dissolve the Parliament or dismiss the government.

#### **Article 154 - Vacancy**

If the vacancy of the presidential office occurs at the same time that a referendum or the election of either the Council of Representatives or the Shura Council is being held, the presidential elections are given priority. The existing parliament continues in place until the completion of the presidential elections.

### **Section 2: The Government**

#### **Article 155 - Composition**

The government consists of the Prime Minister, the Prime Minister's deputies and the ministers.

The Prime Minister heads the government, oversees its work, and directs it in the performance of its functions.

#### **Article 156 - Conditions of membership**

A person appointed to the position of Prime Minister or any other position in the government must be an Egyptian citizen, enjoying civil and political rights, over the age of 30, and not having carried the citizenship of any other country unless renounced within a year of reaching the age of eighteen.

It is prohibited to hold a position in the government in addition to membership in either the Council of Representatives or the Shura Council. If a member of either chamber is appointed to the government, his place in parliament is vacated and the provisions of Article 113 of the Constitution are applied.

#### **Article 157 - Oath**

Before assuming their duties, the Prime Minister and members of government take the following oath before the President of the Republic: "I swear by Almighty God to loyally uphold the republican system, to respect the Constitution and the law, to fully look after the interests of the people and to safeguard the independence and territorial integrity of the motherland."

#### **Article 158 - Finances**

The finances of the Prime Minister and members of government are stipulated by law. They cannot receive any other salary or remuneration, nor engage throughout the term of their posts, whether in person or through an intermediary, in independent professions or business. Nor are they allowed to buy or rent state property, nor lease or sell to or barter with the state any part of their own property, nor conclude a contract with the state as vendors, suppliers or contractors.

A member of government must submit a financial disclosure to the Council of Representatives upon taking office, upon leaving it and at the end of each year.

If, in relation to their posts, they should receive cash or in-kind gifts, such gifts are transferred to the state treasury. The foregoing is organised by law.

#### **Article 159 - Mandate**

The government exercises the following functions in particular:

1. Collaborate with the President of the Republic in laying down the public policy of the state and overseeing its implementation.
2. Direct, coordinate and follow up on the work of the ministries and their affiliated public bodies and organizations.
3. Prepare draft laws and decrees.
4. Issue administrative decisions in accordance with the law, and monitor their implementation.
5. Prepare the draft annual state budget law.
6. Prepare the draft development plan of the state.
7. Contract and grant loans in accordance with the provisions of the Constitution.
8. Supervise the implementation of laws, maintain state security and protect the rights of the citizens and the interests of the state.

**Article 160 - General policy of individual ministries**

The Minister draws up his ministry's general policy, supervises its implementation and offers guidance and control, in the framework of the state's public policy.

**Article 161 - Statements before the Council of Representatives and the Shura Council**

A government member may make a statement before the Council of Representatives, the Shura Council, or one of their committees, concerning any matters within their mandate.

The chamber or the committee may discuss such a statement and convey its position regarding it.

**Article 162 - Issuance of regulations**

The Prime Minister issues necessary regulations for the enforcement of laws, in such a manner that does not involve any disruption, modification, or exemption from their enforcement, and has the right to vest others with the authority to issue them, unless the law designates who should issue the necessary regulations for its own implementation.

**Article 163 - Issuance of regulations on public services**

The Prime Minister issues the regulations necessary for the creation and organization of public services and facilities upon the government's approval. The Council of Representatives' approval is required, if such regulations result in new expenditures in the annual state budget.

**Article 164 - Disciplinary regulations**

The Prime Minister issues disciplinary regulations upon the government's approval.

**Article 165 - Appointment and dismissal of civil servants**

The authority in charge of the appointment and dismissal of civil servants, the functions of the main positions, and the responsibilities, rights and securities of employees, is regulated by law.

**Article 166 - Accusations against the government**

The President of the Republic, the Prosecutor General, and the Council of Representatives, with a motion signed by one-third of its members, have the right to accuse the Prime Minister or any of the members of the government concerning crimes committed during their term of office or in relation to their work.

In all cases, charges can only be brought with the approval of two-thirds of the members of the Council of Representatives. An accused member of government is relieved of their post until a verdict is reached. The end of their term of service does not preclude the start or resumption of prosecution.

#### **Article 167 - Resignation**

If the government or one of its members offers its resignation, the letter of resignation must be presented to the President of the Republic.

### **Chapter 3: The Judiciary**

#### **Section 1: General Provisions**

#### **Article 168 - Judicial independence**

The judiciary is independent. It is vested in the courts of justice, which issue their judgments in accordance with the law. Its powers are defined by law. Interference in judicial affairs or in proceedings is a crime to which no statute of limitations may be applied.

#### **Article 169 - Independence in the administration of judicial affairs**

All judicial bodies administer their own affairs. Each has an independent budget and is consulted on the draft laws governing its affairs. This is organised by law.

#### **Article 170 - The independence of judges**

Judges are independent, cannot be dismissed, are subject to no other authority but the law, and are equal in rights and duties.

The conditions and procedures for their appointment and disciplinary actions against them are defined and regulated by the law. When delegated, their delegation is absolute, to the destinations and in the positions defined by the law, all in a manner that preserves the independence of the judiciary and the accomplishment of its duties.

#### **Article 171 - Public sessions**

Court sessions are public, unless, for reasons of public order or morals, the court deems them confidential. In all cases, the verdict is given in an open session.

## **Section 2: The courts and public prosecution**

### **Article 172 - Mandate of the courts**

Courts adjudicate all disputes and crimes except for matters that are to be decided by another judicial body. The judiciary settles any disputes relating to the affairs of its members.

### **Article 173 - Public prosecution**

The public prosecution is an integral part of the judiciary. It is responsible for investigating, pressing charges and following up in all criminal cases except what is exempted by law. The law establishes the public prosecution's other competencies.

Public prosecution is carried out by a Prosecutor General who is appointed by the President of the Republic, based on the selection of the Supreme Judicial Council from among the Deputies to the President of the Court of Cassation, the Presidents of the Court of Appeals and Assistant Prosecutor Generals, for a period of four years, or for the period remaining until retirement age, whichever comes first, and only once during a judge's career.

## **Section 3: The State Council**

### **Article 174 - Mandate**

The State Council is an independent judicial body that exclusively undertakes adjudicating in administrative disputes and disputes pertaining to the implementation of its decisions. It also undertakes disciplinary proceedings and appeals, adjudicates in legal issues to be determined by law, reviews and drafts bills and resolutions of legislative character referred to it, and reviews contracts to which the state is a party.

Other competencies to be determined by law.

## **Section 4: The Supreme Constitutional Court**

### **Article 175 - Mandate and procedures**

The Supreme Constitutional Court is an independent judicial body. It is based in Cairo. It is exclusively competent to decide on the constitutionality of laws and regulations.

The law defines the Court's other competencies and regulates the procedures that are to be followed before the Court.

#### **Article 176 - Composition**

The Supreme Constitutional Court is made up of a president and ten members. The law determines the judicial or other bodies and associations that nominate them, the manner in which they are to be appointed, and the requirements to be satisfied by them. Appointments take place by a decree from the President of the Republic.

#### **Article 177 - Constitutionality of electoral laws**

The President of the Republic or the Speaker of the Council of Representatives present draft laws governing presidential, legislative or local elections before the Supreme Constitutional Court, to determine their compliance with the Constitution prior to dissemination. The Court reaches a decision in this regard within 45 days from the date the matter is presented before it; otherwise, the proposed law is considered approved.

If the Court deems one or more parts of the text non-compliant with the provisions of the Constitution, its decision is implemented.

The laws referred to in the first paragraph are not subject to the subsequent control stipulated in Article 175 of the Constitution.

#### **Article 178 - Publication of decisions in the Official Gazette**

The Official Gazette publishes verdicts issued by the Supreme Constitutional Court and decisions pertaining to preemptive control of draft laws governing presidential, legislative or local elections.

The effects of a decision on the unconstitutionality of a legislative text are organised by law.

### **Section 5: Judicial Bodies**

#### **Article 179 - The Association of State Affairs**

The Association of State Affairs is an independent judicial body. It undertakes the legal representation of the state in disputes, and technical supervision of legal affairs departments within State Administration.

It is responsible for the drafting of contracts and the settling of disputes to which the state is a party, in the manner regulated by law.

Its other competencies are defined by law.

Its members share immunities, securities, rights and duties assigned to other members of the judiciary.

## **Article 180 - Administrative Prosecutor**

The Administrative Prosecutor is an independent judicial body. It investigates financial and administrative irregularities, raises disciplinary proceedings before the courts of the State Council and follows up on them, and takes legal action to address deficiencies in public facilities. Other competencies are defined by law.

Its members share immunities, securities, rights and duties assigned to other members of the judiciary.

## **Section 6: The legal profession**

### **Article 181 - Independence**

The legal profession is a liberal profession and a cornerstone of justice. It is practiced by lawyers independently and is safeguarded by guarantees that protect them and enable them to carry out their work, in the manner regulated by law.

## **Section 7: The experts**

### **Article 182 - Autonomy**

Officers at the Real Estate Publicity Department, forensic experts and judicial experts enjoy technical autonomy in their work. The law safeguards the necessary guarantees and protection for them to carry out their work.

## **Chapter 4: The system for local administration**

### **Section 1: Local and administrative division of the state**

#### **Article 183 - Local administrative units**

The state is divided into local administrative units that have legal personality. They incorporate governorates, provinces, cities, districts and villages. One administrative unit may comprise more than one village or district. Other administrative units that have legal personality may be established. The foregoing will be organised by law in a way that supports decentralisation, that empowers administrative units in providing local services and facilities, that reinvigorates them and improves their administration.



**Article 184 - Technical, administrative and financial assistance from the state**

The state guarantees that it will satisfy the local unit's needs in terms of technical, administrative and financial assistance, and ensures the equitable distribution of facilities, services and resources, and works to bring development levels and living standards in these units to a common standard. This will be organised by law.

**Article 185 - Local taxes and fees**

Local units' income includes additional taxes and fees of a local nature. The unit follows the same rules and procedures in the collection of public funds as followed by the state. The foregoing is regulated by law.

**Article 186 - Cooperation between local units**

The law regulates cooperation between local units in matters of mutual benefit and means of cooperation between local units and the state apparatus.

**Article 187 - Selection of governors**

The law regulates the manner in which governors and heads of other local administrative units are selected, and defines their mandate.

**Section 2: Local Councils**

**Article 188 - Election of local councils**

Every local unit elects a local council by direct, secret ballot for a term of four years.

Representatives from the executive apparatus of the local unit forms part of the council but have no counted vote.

Every council elects its president and deputy from among its elected members.

Conditions and procedures for nomination and election are regulated by law.

**Article 189 - Mandate**

The local council is concerned with issues of concern in the unit it represents. It creates and manages local facilities, economic, social and health-related activities, as well as other activities. The foregoing is organised by law.

#### **Article 190 - Local council decisions**

Local council decisions that are issued within the council's mandate are final. they are not subject to interference from the executive branch of government, except to prevent the council from overstepping limits, or causing damage to public interest or the interests of other local councils.

Any dispute over the jurisdiction of a local council is dealt with as a matter of urgency by the Legislation Department of the State Council. The foregoing is organised by law.

#### **Article 191 - Budget and final accounts**

Every local council is in charge of its own budget and final accounts, in the manner organised by law.

#### **Article 192 - Dissolution of local councils**

It is prohibited to dissolve local councils as part of a comprehensive administrative procedure. The manner to dissolve and reelect any one of them is organised by law.

### **Chapter 5: National Security and Defense**

#### **Section 1: The National Security Council**

#### **Article 193 - Composition and mandate**

The National Security Council is established. It is presided over by the President of the Republic and includes in its membership the Prime Minister, the Speakers of the Council of Representatives and the Shura Council, the Minister of Defense, the Minister of Interior, the Minister of Foreign Affairs, the Minister of Finance, the Minister of Justice, the Minister of Health, the Chief of the General Intelligence Services, and the Heads of the Committees of Defense and National Security in the Council of Representatives and the Shura Council.

The Council adopts strategies for establishing security in the country; faces disasters and crises of all kinds and takes necessary measures to contain them; and identifies sources of threat to Egyptian national security, whether at home or abroad, and undertakes necessary actions to address them on the official and popular levels.

The Council invites whoever is seen as being of relevant expertise to attend its meetings without having their votes counted.

Other competencies and regulations are defined by law.

## **Section 2: The Armed Forces**

### **Article 194 - Duty of the armed forces**

The armed forces belong to the people. Their duty is to protect the country, and preserve its security and territories. The state is exclusively mandated to establish armed forces. No individual, entity, organization or group is allowed to create military or para-military structures, groups or organizations.

The armed forces have a Supreme Council as regulated by law.

### **Article 195 - Commander in Chief**

The Minister of Defense is the Commander in Chief of the Armed Forces, appointed from among its officers.

### **Article 196 - Public mobilization**

The law regulates public mobilization and defines the conditions of service, promotion and retirement in the armed forces.

The judicial committees for officers and personnel of the armed forces are exclusively competent for adjudicating in all administrative disputes pertaining to decisions affecting them.

## **Section 3: The National Defense Council**

### **Article 197 - Composition and mandate**

A National Defense Council is established, presided over by the President of the Republic and including in its membership the Speakers of the Parliament and Shura Council, the Prime Minister, the Minister of Defense, the Minister of Foreign Affairs, the Minister of Finance, the Minister of Interior, the Chief of the General Intelligence Service, the Chief of Staff of the armed forces, the Commander of the Navy, the Air Forces and Air Defense, the Chief of Operations for the armed forces and the Head of Military Intelligence.

The Council is responsible for matters pertaining to the methods of ensuring the safety and security of the country, for discussing the armed forces' budget. Its opinion must be sought in relation to draft laws on the armed forces.

Its other competencies are defined by law.

The President of the Republic may invite whoever is seen as having relevant expertise to attend the Council's meetings without having their votes counted.

## **Section 4: Military courts**

### **Article 198 - Mandate and trial of civilians**

The Military Judiciary is an independent judiciary that adjudicates exclusively in all crimes related to the armed forces, its officers and personnel; in crimes pertaining to military service which occur within military facilities; or crimes relating to armed forces facilities, equipment or secrets.

Civilians cannot stand trial before military courts except for crimes that harm the armed forces. The law defines such crimes and determines the other competencies of the Military Judiciary.

Members of the Military Judiciary are autonomous and cannot be dismissed. They share the immunities, securities, rights and duties stipulated for members of other judiciaries.

## **Section 5: The Police**

### **Article 199 - Mandate**

The police force is a statutory civil body with the President of the Republic as its Supreme Chief. It performs its duty in the service of the people, its loyalty being to the Constitution and the law, and its responsibilities to preserve order, public security and morality, to implement laws and regulations, and to safeguard the peace, dignity, rights and freedoms of citizens, all as regulated by law and in a manner that enables police personnel to carry out their duties.

## **Part IV: Independent Bodies and Regulatory Agencies**

### **Chapter 1: Common provisions**

#### **Article 200 - Independence**

Independent bodies and regulatory agencies that are defined in the Constitution have legal personality, neutrality, and technical, administrative and financial autonomy.

Additional independent bodies and regulatory agencies are defined by law.

These independent bodies and agencies are consulted about draft laws and regulations that relate to their fields of operation.

#### **Article 201 - Public reports**

Reports from independent bodies and regulatory agencies are presented to the President of the Republic, the Council of Representatives and Shura Council within 30 days from the date on which they are issued.

The Council of Representatives considers such reports and takes appropriate action within a period not exceeding six months from the date of receipt. The reports are presented for public opinion.

Regulatory agencies notify the appropriate investigative authorities of any evidence of violations or crime they may discover.

The foregoing is regulated by law.

#### **Article 202 - Appointment of heads**

The President of the Republic appoints the heads of independent bodies and regulatory agencies upon the approval of the Shura Council, for a period of four years, renewable once. They cannot be dismissed except with the consent of a majority of the Council's members; the same prohibitions apply to them that apply to ministers.

#### **Article 203 - Mandate, appointment and dismissal of personnel**

For the creation of each independent body or regulatory agency, a law is issued defining competencies other than those outlined in the Constitution, regulating the agency's work and stipulating the necessary securities to enable its personnel to carry out that work.

The law defines details of appointment, promotion, accountability and dismissal, and other conditions of employment, to ensure the personnel's impartiality and autonomy.

### **Chapter 2: Regulatory Agencies**

#### **Section 1: The National Anti-Corruption Commission**

##### **Article 204 - Mandate**

The National Anti-Corruption Commission combats corruption, deals with conflicts of interest, promotes and defines the standards of integrity and transparency, develops the national strategy concerned with such matters, ensures the implementation of said strategy in coordination with other independent bodies, and supervises the concerned agencies specified by law.

#### **Section 2: Central Auditing Organization**

##### **Article 205 - Mandate**

The Central Auditing Organization has control over state funds and any other body specified by law.

### **Section 3: The Central Bank**

#### **Article 206 - Mandate**

The Central Bank stipulates monetary, credit and banking policies, supervises their implementation, monitors the performance of the banking system, works to establish price stability, and has exclusive rights to issue currency.

The foregoing is in accordance with the state's overall economic policy.

### **Chapter 3: The Economic and Social Council**

#### **Article 207 - Mandate**

The Economic and Social Council supports the participation of social groups in the preparation of economic, social and environmental policies, and promotes social dialogue.

The government, the Council of Representatives and the Shura Council consult the Economic and Social Council on those policies and any related draft laws.

The Council consists of at least 150 members, selected by their elected organizations of trade unions, syndicates, associations of farmers, workers and professionals, and other social groups, provided the representation of workers and farmers makes up for at least 50 percent of the Council members.

Membership of this Council may not be combined with membership of the government or either of the parliamentary chambers.

The details according to the Council is formed, its President is elected, the regulations governing its work are issued, and the means of presenting its recommendations to the state authorities are defined by law.

### **Chapter 4: The National Electoral Commission**

#### **Article 208 - Mandate**

The National Electoral Commission is exclusively responsible for managing referenda and presidential, parliamentary and local elections, which includes the preparation of a database of voters, input on the division of constituencies, control over electoral funding and expenditure, electoral campaigns and other procedures, up to the announcements of results.

The Commission may be entrusted with supervising the elections of trade unions and other organizations.

The foregoing is regulated by law.

#### **Article 209 - Composition and term**

The National Electoral Commission is administered by a board made up of 10 members selected equally from among the deputies of the head of the Court of Cassation, the heads of the Courts of Appeal, the deputy head of the State Council, the State Affairs and Administrative Prosecution, who are to be selected by the Supreme Judicial Council and special councils depending on the circumstances from outside their board members, to be fully delegated for exclusive work at the Commission for one term of six years. The Commission's presidency belongs to its longest-serving member from the Court of Cassation.

Elections are held to renew half of the Commission members every three years.

The Commission may refer to public figures or specialists deemed to have relevant expertise in the field of elections. The Commission has an executive body.

The foregoing is organised by law.

#### **Article 210 - Balloting and counting of referenda and elections**

Voting and counting of votes in referenda and elections run by the Commission is administered by its affiliated members under the overall supervision of the Board. Members are furnished with the necessary securities that enable them to perform their role with impartiality and autonomy.

As an exceptional measure, the Commission delegates the overseeing of voting and counting of votes to members of the judiciary for at least 10 years from the date the Constitution is ratified, all as regulated by law.

#### **Article 211 - Dispute resolution**

The Supreme Administrative Court adjudicates on appeals brought against the decisions of the National Electoral Commission pertaining to referendums and parliamentary or presidential elections and their results. Appeals pertaining to local elections are brought before an administrative court.

The law regulates the procedure for appeals and the timeline for adjudication in a manner that does not disrupt the electoral process or the announcement of final results. The final results of referendums or presidential elections may not be challenged after their announcement.

In all cases, the announcement of results must take place within a period not exceeding eight days from the ballot date.

## **Chapter 5: Independent bodies**

### **Section 1: The Supreme Authority for Endowment Affairs**

#### **Article 212 - Mandate**

The High Authority for Endowment Affairs regulates, supervises and monitors public and private endowments, ensures their adherence to sensible administrative and economic standards, and raises awareness about endowments in society.

### **Section 2: The Supreme Authority for Heritage Conservation**

#### **Article 213 - Mandate**

The Supreme Authority for Heritage Conservation regulates the means of protecting the cultural and architectural heritage of Egyptians, supervises its collection and documentation, safeguards its assets, and revives awareness of its contributions to human civilization.

This Authority undertakes the documentation of the 25 January revolution.

### **Section 3: The National Council for Education and Scientific Research**

#### **Article 214 - Mandate**

The National Council for Education and Scientific Research develops the national strategy for education in all its forms and all its stages, ensures integration between the stages, promotes scientific research, develops national standards for the quality of education and scientific research, and monitors the implementation of such standards.

### **Section 4: Independent Press and Media Organizations**

#### **Article 215 - Mandate**

The National Media Council regulates the affairs of radio, television, and printed and digital press, among others.

The Council ensures the freedom of media in all its forms, safeguards plurality, fights centralization and monopoly, protects the interests of the public, and establishes controls and regulations ensuring the commitment of media to adhere to professional and ethical standards, to preserve the Arabic language, and to observe the values and constructive traditions of society.



## **Article 216 - State owned media**

The National Press and Media Association manages state-owned press and media institutions and undertakes the development of them and their assets to maximize their national investment value and ensure their adherence to sensible professional, administrative and economic standards.

## **Part V: Final and Transitional Provisions**

### **Chapter 1: Amendments to the Constitution**

#### **Article 217 - Preliminary procedures**

The amendment of one or more of the Constitution articles may be requested by the President of the Republic or the Council of Representatives. The request specifies the articles to be amended and the reasons for the amendments, and if initiated by the Council of Representatives is signed by at least five members of the Council of Representatives.

In all cases, the Council of Representatives and Shura Council debate the request within 30 days from the date of its receipt. Each council issues its decision to accept the request in whole or in part by two-thirds majority of its members.

If the request is rejected, the same amendments may not be requested again before the next legislative term.

#### **Article 218 - Parliamentary approval and referendum**

If the amendment request is approved by both chambers, each of them discusses the text of the articles to be amended within 60 days from the date of approval. If approved by a two-thirds majority of each chamber, the amendment is put to public referendum within 30 days from the date of approval.

The amendment is effective from the date on which the referendum's result is announced.

### **Chapter 2: General Provisions**

#### **Article 219 - Principles of Islamic Sharia**

The principles of Islamic Sharia include general evidence, foundational rules, rules of jurisprudence, and credible sources accepted in Sunni doctrines and by the larger community.

#### **Article 220 - Capital**

Cairo is the capital of the state. The capital may be moved by law.

**Article 221 - National flag**

The national flag, the state's emblem, decorations, insignia, seal and the national anthem are defined by law.

**Article 222 - Validity of existing law**

Provisions stipulated by laws and regulations prior to the proclamation of this Constitution remain valid and in force. They may not be amended or repealed except in accordance with the regulations and procedures prescribed in the Constitution.

**Article 223 - Promulgation of laws**

Laws are published in the Official Gazette within 15 days from the date of their issuance, to be effective 30 days from the day following the date of publication, unless the law specifies a different date.

Provisions of the laws apply only from the date of their enforcement and have no retroactive effect. However, with the approval of a two-thirds majority of the members of the Council of Representatives, provisions to the contrary may be made in articles pertaining to non-criminal and non-tax-related matters.

**Article 224 - Electoral system**

Elections of the Council of Representatives, Shura Council and local councils are held in accordance with the system of individual candidacy, a list-based system, a combination of the two, or any other electoral system defined by law.

**Article 225 - Entry into force**

This Constitution is in force as of the date of announcing the public approval of it in a referendum, based on a majority of valid votes of the referendum participants.

**Chapter 3: Transitional Provisions****Article 226 - Presidential term**

The current presidential term comes to an end four years from the date of the President taking office. He may only be re-elected only once.

**Article 227 - End of terms**

Every position for which a limited term is stipulated in the Constitution or by law, whether a non-renewable or renewable once, is calculated from the date the position was assumed. The term of office also expires if the person in office reaches the retirement age as prescribed by law.

**Article 228 - High Electoral Committee**

The High Electoral Committee, existing at the time this Constitution comes into effect, undertakes the full supervision of the first parliamentary elections. The funds of the Committee and of the High Presidential Elections Committee are transferred to the National Electoral Commission, as soon as the latter is formed.

**Article 229 - First parliamentary elections**

Procedures for the first parliamentary elections begins within 60 days of this Constitution coming into effect, the first legislative term held within 10 days from the date of announcing the final result of the elections.

**Article 230 - Existing Shura Council**

The existing Shura Council assumes full legislative authority until the new Council of Representatives is formed. Full legislative authority will then be transferred to the Council of Representatives, until the election of a new Shura Council, which occurs within six months from the start of the Council of Representatives' session.

**Article 231 - First legislative elections**

The first legislative elections following the adoption of this Constitution are held in the following manner: two-thirds of the seats are to be won by a list-based electoral system and one-third by individual candidacy, with parties and independent candidates allowed to run in each.

**Article 232 - Leaders of the National Democratic Party**

The leadership of the dissolved National Democratic Party are banned from political work and prohibited to run for presidential or legislative elections for a period of 10 years from the date of the adoption of this Constitution. The term 'leadership' is designed to include everyone who, on 25 January 2011, was a member of the Secretariat of the Party, the Policies Committee or the Political Bureau, or anyone who was a member of the People's Assembly or the Shura Council during the two legislative terms preceding the Revolution.

**Article 233 - Composition of the Supreme Constitutional Court**

The Supreme Constitutional Court, after this Constitution enters into force, shall be composed of its current head and its ten most senior members. The rest of the members shall return to the posts that they occupied prior to their appointment to the Court.

**Article 234 - Appeals against criminal convictions**

The law on appeals of criminal convictions that is mentioned in paragraph three of Article 77 of the Constitution will apply one year after the Constitution has come into force.

**Article 235 - Existing local administration system**

The existing Local Administration system shall remain in place, and the system laid down in this Constitution applied gradually over the 10 years following from the date of its adoption.

**Article 236 - Constitutional declarations**

Constitutional declarations issued by the Supreme Council of the Armed Forces and by the President of the Republic from 11 February 2011 to the date of the adoption of this Constitution are hereby repealed. Their consequent effects remain valid and in force and may not be appealed.

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